

12/19

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - DECEMBER 21, 2005

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Pro se ROGER WELLS (*converted to Chapter 7 on 12/8*) 04-75100 Callahan/S

AP 05-07309; 454 Recover Money/Property; ***Reinstated***
Debtor vs All American Homes (Esposito)
Notice to Appear and Show Cause re failure to pay filing fees #13
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07310; 454 Recover Money/Property; ***Reinstated***
Debtor vs Malcolm and Sandra Browning (Pyott)
Notice to Appear and Show Cause re failure to pay filing fees #12
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07311; 454 Recover Money/Property; ***Reinstated***
Debtor vs Clayton Homes (Pro se)
Notice to Appear and Show Cause re failure to pay filing fees #11
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07312; 454 Recover Money/Property; ***Reinstated***
Debtor vs Ralph Davis and Classic Homes
Notice to Appear and Show Cause re failure to pay filing fees #15
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07313; 454 Recover Money/Property; ***Reinstated***
Debtor vs 1st Bank & Trust/1st Commonwealth Bank
& Gregory Gilbert (Esposito)
Notice to Appear and Show Cause re failure to pay filing fees #17

Gilbert's Motion for Summary Judgment filed 12/1, #19, 20

Order entered 12/16 continues all matters to 2/15 @9:30

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9:30 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Pro se

ROGER WELLS (*converted to Chapter 7*)
APs continued from previous page

04-75100

Callahan/S

AP 05-07314; 454 Recover Money/Property; ***Reinstated***
Debtor vs Free Service Tire #411
Notice to Appear and Show Cause re failure to pay filing fees #11
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07315; 454 Recover Money/Property; ***Reinstated***
Debtor vs General Shale, LLC (Pro se)
Notice to Appear and Show Cause re failure to pay filing fees #11
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07345; 454 Recover Money/Property; ***Reinstated***
Debtor vs Joseph and Nora Hardison (Pro se)
Notice to Appear and Show Cause re failure to pay filing fees #12
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07346; 454 Recover Money/Property; ***Reinstated***
Debtor vs Ron and Shelby Hold and JBH Investments (Pro se)
Notice to Appear and Show Cause re failure to pay filing fees #11
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07347; 454 Recover Money/Property; ***Reinstated***
Debtor vs Impact International Church (Pro se)
Notice to Appear and Show Cause re failure to pay filing fees #11
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07348; 454 Recover Money/Property; ***Reinstated***
Debtor vs Joyce Kennedy (Lyle) (*summons issued 9/30; re-issued 10/4*)
Response (*Motion to dismiss AP*) filed 11/1 #8,9 (Lyle)
Debtor *definite statement* filed 12/1 #13
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07349; 454 Recover Money/Property; ***Reinstated***
Debtor vs George and Dorothy Masters (*summons issued 9/30; re-issued 10/4*)
Motion to Dismiss Adversary filed 10/27 #8 by defendant/Dorothy Masters (Copeland)
Debtor *definite statement* filed 12/1 #13
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07350; 454 Recover Money/Property; ***Reinstated***
Debtor vs Jeffrey and Sherry McGraw (*summons issued 9/30; re-issued 10/4*)
Order entered 12/16 continues all matters to 2/15 @9:30

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9:30 A. M. - PRE-TRIAL CONFERENCES IN COURTROOM

Pro se

ROGER WELLS (converted to Chapter 7)
APs continued from previous page

04-75100

Callahan/S

AP 05-07351: 454 Recover Money/Property; ***Reinstated***
Debtors vs Networking and Computers, LLC and Shawn Miller
(*summons issued 9/30; re-issued 10/4*)
Motion to Dismiss filed 11/10, #11
Amended complaint filed 12/1 #17; *Summons issued reschedules PT 1/18 @9:30*
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07352: 454 Recover Money/Property; ***Reinstated***
Debtors vs Barry Rader (*summons issued 9/30; re-issued 10/4*)
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07353: 454 Recover Money/ Property; ***Reinstated***
Debtor vs Mary Reynolds (*summons issued 9/30; re-issued 10/4*)
Answer and Motion to Dismiss filed 10/18, #8 (Kieffer)
Amended Complaint filed 11/4, #10 (*summons re-issued 11/9*)
Answer and Motion to Dismiss filed 12/6, #16 (Kieffer)
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07354: 454 Recover Money/Property; ***Reinstated***
Debtor vs Scott and Lori Salyer (*summons issued 9/30; re-issued 10/4*)
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07355: 498 (other action) ***Reinstated***
Debtor vs Smokey Mountain Hydo Test (*summons issued 9/30; re-issued 10/4*)
Motion to Dismiss filed 12/6, #11, 12 (Esposito)
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07356: 454 Recover Money/Property; ***Reinstated***
Debtor vs Athletes Foot (*summons issued 9/30; re-issued 10/4*)
Order entered 12/16 continues all matters to 2/15 @9:30

AP 05-07357: 454 Recover Money/Property; ***Reinstated***
Debtors vs Larry and Gajendra Bafna (*summons issued 9/30; re-issued 10/4 & 10/7*)
Response (*Motion to Dismiss AP*) filed 11/1 #9,10 (Copeland)
Definite Statement filed by DR 12/5, #14
Order entered 12/16 continues all matters to 2/15 @9:30

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10:00 A. M. - MISCELLANEOUS

AP 05-07092: Recover Money/Property *cont from 10/19*

Trustee (Farthing) v. Brian Moore (Shortridge)

Answer to Complaint and Motion to Dismiss filed 10/4, #11

Defendant's notice filed 11/28 #20 re: previously filed Motion to Dismiss and Affirmative Defense re: #11 *and cont from 11/21*

AP 05-07093: Recover Money/Property, *cont from 10/19*

Trustee (Farthing) v. James Adair (Shortridge)

Answer to Complaint and Motion to Dismiss filed 10/4, #12

Defendant's notice filed 11/28 #19 re: previously filed Motion to Dismiss and Affirmative Defense re: #12 *and cont from 11/21*

AP 05-07094: Recover Money/Property *cont from 10/19*

Trustee (Farthing) v. Kenneth Russell, Jr. (Shortridge)

Answer to Complaint and Motion to Dismiss filed 10/4, #12

Defendant's notice filed 11/28 #19 re: previously filed Motion to Dismiss and Affirmative Defense re: #12 *and cont from 11/21*

AP 05-07095: Recover Money/Property *cont from 10/19*

Trustee (Farthing) v. Bryant Enderle (Shortridge)

Answer to Complaint and Motion to Dismiss filed 10/4, #12

Defendant's notice filed 11/28 #21 re: previously filed Motion to Dismiss and Affirmative Defense re: #12 *and cont from 11/21*

AP 05-07096: Recover Money/Property (*summons reissued 10/6*)

Wm E Callahan Jr., Trustee (Farthing) vs Robert Compton

Motion for default judgement filed 11/17 #12

Carroll

JACKIE PATRICK

05-70646

Callahan/JJ

Motion for Relief filed 11/30 #36,38 by Green Tree Servicing LLC (Bierman)

Timoney

JAMES AND MELISSA NEWBERRY

04-01927

Krippendorf/S

Trustee Motion for Contempt for Failure to Comply filed 10/6, #25, 26

Carmody

JAMES MULLINS II (*reopened 7/12/05*)

04-695

Allen/NS

Motion to Avoid Lien of Virginia Credit Union (c/o Jane Watkins, CEO)

Filed 7/22; # 26, *cont from 9/7 & 11/22 & 12/7*

Answer filed 8/3 #29 (Lamie), *cont from 9/7, 11/22, 12/7*

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10:00 A. M. - MISCELLANEOUS

Gifford

MICHAEL AND LESLIE MCMILLAN

02-04827

Krippendorf/S

Trustee Application for Compensation filed 10/12 #37, 42,44, (*absent objection 5 days before hearing order becomes self-executing*)

Gifford CHRISTIE WEBSTER 05-73254 Jessee/SJ
Trustee Motion to Compel Documents, to Extend Deadline to file complaints and
Motion for Sanctions filed 11/26 #9
Order to be entered withdrawing motion

Gifford JAMES & LAURA ALBERT (*final P/T*) 05-70838 Wick/AF
Motion of U. S. Trustee to dismiss case for Substantial Abuse filed 7/8; # 15
(Guzinski) *cont from 9/7 & 11/9 ; Order entered 11/14 sets Final PT set for this
date with discovery deadline on 12/9;*
Response filed 8/19 #16, *cont from 9/7, & 11/9*

Sutherland ROGER KILGORE 05-71936 Jessee/AF
Trustee Motion to Approve Sale/Motion to Approve Settlement filed 10/31 #14

Carmody DAVID AND LINDA ADAMS 05-73519 Jessee/VS
Motion for Relief filed 11/21, #10,11,13 by Daimler Chrysler Services (Higgs)
Order granting motion for relief entered 12/2, #16

Carmody WILLIAM EDWARDS 05-75278 Callahan/LM
Motion for Relief filed 11/22 #8 by Coastal Federal Credit Union (Eason)
Default order tendered to CM orders on 12/19

Hendricks MARTY AND RAPHAELA FIELDS 05-74930 Jessee/AF
Motion for Relief filed 11/21, #6, 8 by Countrywide Home Loans (Sasser)
Response filed 12/1, #10

Lamie WYTHE PRECISION MACHINE CO., INC. 02-04520 Callahan/S
Trustee Application for Compensation/expenses filed 12/1 #175,177

Final Application for Compensation/expenses of *Attorney for Trustee* filed 12/1
#176 (Callahan)

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10:00 A. M. - MISCELLANEOUS

Lamie PEGGY B. BLEVINS 05-74797 Jessee/NS
Motion for Relief filed 11/18, #6 by Mortgage Electronic Reg. System (Sasser)

with motion and order extending the stay #7,9

Largen	JEFFREY AND LEAH PADGETT	05-72294	Vogel/NS
	UST Motion to Extend issuance of Discharge filed 11/10 #19 (Guzinski)		
Carmody	PAUL AND JUDY SHELTON	05-74003	Wick/JM
	Motion to Redeem re: HSBC Auto Finance filed 11/16, #9		
Slavin	JEFFREY WAYNE WOLFORD	05-75793	Callahan/NS]
	Motion for Relief filed 11/21 #15 by GE Capital Corporation (Higgs)		
	<u>Response</u> filed 11/28 #22		
	<i>Order entered 12/8 recuses this matter to Judge Krumm</i>		
Copeland	FRANKLIN SUTHERLAND	01-03593	Callahan/NS
	Trustee Application for Compensation filed 12/1, #211		
	Application for Compensation of TE's Attorney filed 12/1, #212		
	Application for Compensation of TE's Accountant filed 12/1, #213		

1:00 P.M. CONFIRMATIONS

Timoney	WAYNE AND JILL HORTON	05-71601	Widener/JM
	2 nd Amended Plan filed 11/2 #29,30		
	Trustee Report and Show Cause filed 8/11 #18, <i>cont from 11/9</i>		
Timoney	ROBERT AND SHANNON DALTON	01-04906	Widener/JM
	3 rd Amended Plan filed 11/2 #84,85, <i>cont from 11/9</i>		
	Trustee Motion to Dismiss or Convert Case filed 10/12, #83, <i>cont from 11/9</i>		

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1:00 P.M. CONFIRMATIONS

Fleenor	HARRY & MARILYN ANDERSON	05-72770	Widener/LM
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Amended plan filed 11/1 #15,16
Trustee report and Show Cause filed 8/25 #10 *cont from 10/19*

Farthing	HOWARD AND PATRICIA HIBBS Amended Plan filed 11/2, #18, 19, cert of service #20	05-71952	Widener/SJ
Black	SELDON FRENCH 3 rd Amended Plan filed 12/5, #74, 81, 82; Trustee Report and Show Cause filed 8/26 #24 <i>cont from 10/19, 11/9</i>	05-72626	Widener/SJ
Largen	PATRICIA ANN COMBS Plan filed 9/16 #4, <i>cont from 12/7</i> by letter request filed 12/12 #10 and with consent of the Court and Trustee	05-73623	Widener/S

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1:00 P.M. CONFIRMATIONS

Largen	MARK AND ANDREA BROOKS	05-72295	Widener/NS
	Amended Plan filed 10/6, #14, 15 - <i>cont from 11/22</i>		
	Obj: Americredit Financial Services (Epps) filed 7/5; # 10 <i>cont from 11/22</i>		
	Trustee Report and Show cause filed 9/14 #11, <i>cont'd from 9/21 & 11/22</i>		
	Valuation: Lemon's Jewelry filed 11/23, #25		
	Valuation: Gynnn Furniture Co. Filed 11/23, #27		
Largen	HERSHEL BLANKENSHIP	05-73005	Widener/JM
	Plan filed 8/10 #4, <i>cont from 11/22</i>		
	Trustee Report and Show Cause filed 10/27 #9, <i>cont from 11/22</i>		
Lamie	WILLIAM AND DEBORAH WILSON	05-73357	Widener/SJ
	Plan filed 9/2 #2,6, <i>cont from 12/7</i>		
	Trustee Report and Show Cause filed 10/27 #10, <i>cont from 12/7</i>		
	<i>Consent order entered 12/12 #14 continues confirmation and Trustee Show Cause to 1/18 @1PM with valuation motion</i>		
Lamie	DAVID AND WANDA JACKSON	04-03812	Widener/SO
	2 nd Amended Plan, corrected, filed 10/5, #74, 75 <i>cont from 11/22</i>		
Snodgrass	HARRY PAULEY JR	05-70580	Callahan/GR
	Plan filed 7/7; # 12 in converted case; conf ntc 7/8; # 14, <i>cont from 10/19, 12/7</i>		
	<i>Note: Valuation Motion (BB&T) continued to 1/5 @3PM before Judge Krumm</i>		
Hutchinson	BRIAN AND HEATHER MCQUEEN	04-02295	Widener/NS
	Amended Plan filed 11/2 #28, 29		

1:30 P.M. MISCELLANEOUS

Hutchinson	KEVIN & LESLIE ROSE	05-73432	Widener/AF
	Motion for Relief filed 12/1, #13,15,17 by Green Tree Servicing (Smith)		
	<u>Response</u> filed 12/9 #22		

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1:30 P.M. MISCELLANEOUS

Pro se	STEPHEN BARKER	05-75804	Widener/JM
	Motion for Relief filed 11/30 #18, 20 by ABN AMRO Mortgage Group, Inc. (Stewart)		
	<i>Order entered 12/9 # 23 dismisses case</i>		

2:00 P.M. MISCELLANEOUS

Timoney	JASON LIDDLE	04-74987	Widener/GR
	Trustee Motion to Dismiss or Convert Case filed 11/2 #14, <i>cont from 11/22</i>		

Timoney	ELLIS & TRACI LEONARD	03-02484	Widener/GR
	Application for Compensation in form of credit toward mortgage payments filed 12/2, #68		
	<u>Response</u> filed 12/16, #69 by EMC Mortgage Corp (Sasser)		

McDaniel	ROGER AND MIRIAM ANO	04-01894	Widener/NS
	Trustee Motion to Dismiss or Convert Case filed 11/2 #56, <i>cont from 11/22</i>		

Largen	ANDREA CASSELL	03-03376	Widener/LM
	Motion to Incur Debt (to Refinance Residence) filed 12/1 #35		

Largen	EDSEL SANDERS, JR.	02-03441	Widener/JJ
	Motion to Incur Debt filed 12/1 #33, <i>cont from 12/21</i> <i>for consent order</i>		

Largen	DAVID & DREAMA KELLY	02-02763	Widener/SL
	Motion to Suspend Payments filed 12/1, #60, <i>cont from 12/21</i> <i>for consent order</i>		

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2:00 P.M. MISCELLANEOUS

Lamie	MARY JULIA SUNDERLIN	05-70824	Widener/S
	Trustee Motion to Dismiss or Convert Case filed 11/17, #39		

Largen	JAMES MELVIN	04-074879	Widener/LM
	Motion to Incur Debt filed 12/1 #28 continue to this date from 12/7 by order approved for entry on 12/19		

2:00 P.M. TRIAL

Snodgrass	DORIS COFFEY	05-70462	Widener/SL
	AP 05-07051; Dischargeability		
	Gary Phillips (Lamie) vs Debtor (Scheduling order of 9/9 sets TRIAL for this date)		